

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-11, 14-25, 28, 30 and 32-34 are pending in the application, with Claims 1, 15, 30 and 32-34 being independent. Claims 12, 13, 26, 27, 29 and 31 have been cancelled without prejudice and Claims 1-4, 11, 15-18, 25 and 30 have been amended. Claims 32-34 are newly added. Applicants submit that no new matter has been added.

Claim 31 was rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Without conceding the propriety of the rejection, Applicant has cancelled Claim 31. Accordingly, Applicant submits that the rejection is moot.

Reconsideration and withdrawal of the § 101 rejection are requested.

Claims 1-3, 5, 9, 15-17, 19, 23, 29, 30 and 31 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,449,055 B1 (Okimoto et al.). Claims 4 and 18 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okimoto et al. in view of U.S. Patent No. 6,247,786 B1 (Booth et al.). Claims 6 and 20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okimoto et al. in view of U.S. Patent No. 6,120,197 (Kawamoto et al.). Claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okimoto et al. Claims 8 and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okimoto et al. in view of U.S. Patent No. 6,053,645 (Myung). Claims 10-12 and 24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okimoto et al. in view of EP 0 750 251 A1 (Fujita et al.). Claims 14 and 28 were rejected under 35 U.S.C. §

103(a) as allegedly being unpatentable over Okimoto et al. in view of U.S. Patent No. 5,845,057 (Takeda et al.). These rejections are respectfully traversed.

In the Office Action, the Examiner stated that the cited references do not teach or suggest the features of Claim 13, namely “a system wherein if it is possible to confirm that a printing operation which is being performed at the present time can be continuously executed from said notification contents, said printing apparatus subsequently executes a process of the next page.” In view of this statement, Applicant has amended Claim 1 to recite the features of Claims 12 and 13, but not the features of Claims 10 and 11, from which Claim 13 depended. Likewise, Applicant drafted new Claim 33 to recite the features of Claims 12 and 13, except Claim 33 does not recite “information sending means” as Claim 33 does not contain means-plus-function language. Additionally, Claim 15 has been amended to recite the features of Claims 12 and 13. The language of the features of Claims 12 and 13 have been modified in Claim 15 to reflect the fact that Claim 15 is directed to a method rather than an apparatus. Further, since independent Claims 30 and 34 are directed to a printing apparatus rather than the print system of Claim 1, Claims 30 and 34 have been formulated to recite the features of Claim 13, but not Claim 12. In each of Claims 30 and 34, the language of the features of Claims 12 and 13 has been modified to correspond to the other features recited in those claims. Finally, since Claim 32 is directed to a printing method for a printing apparatus, Claim 32 was amended to recite the features of Claim 13, but not Claim 12.

In view of the foregoing, Applicant submits that each of the independent claims recites, either directly or in slightly modified form, the language the Examiner indicated was allowable over the references of record. Accordingly, Applicant submits that

none of the cited references teach or suggest important features of the independent claims. Reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are requested.

Applicant submits that the present invention is patentably defined by independent Claims 1, 15, 30 and 32-34. Dependent Claims 2-11, 14, 16-25 and 28 are also patentable, in their own right, for defining features of the present invention in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the instant application is in condition for allowance. Favorable reconsideration and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Mark A. Williamson
Attorney for Applicant
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

JMC\gmc

DC_MAIN 223930v1